

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

JERRY L. MCBRIDE,

PLAINTIFF

V.

NO. 2:07CV0176-P-B

COAHOMA COUNTY, et al.,

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate, brings this *pro se* complaint pursuant to 42 U.S.C. § 1983. Plaintiff complains about denial of adequate medical treatment regarding a compromised tooth and associated pain. Plaintiff was afforded the opportunity to clarify and specifically state his claims at a *Spears* hearing. Following the *Spears* hearing, the Magistrate Judge filed a Report and Recommendation on May 30, 2008, recommending dismissal of Plaintiff's claims. Notwithstanding several amendments to the complaint, the Magistrate Judge suggests that Plaintiff has failed to state a claim of a constitutional nature.

The Report and Recommendation instructed Plaintiff to file any objections thereto within ten days. Rather than submitting his objections, on June 16, 2008, Plaintiff filed a motion for extension of time. Despite again being given ample opportunity to provide facts which might substantiate a valid § 1983 claim, the court finds that Plaintiff has not and cannot state a claim upon which relief should be granted. Accordingly, the court approves and adopts the Report and Recommendation as its opinion.

THEREFORE, it is hereby ORDERED that

1) the Plaintiff's objections, if any, to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

3) Plaintiff's claims are DISMISSED with prejudice;

4) Plaintiff's motion for time (docket entry 30) is DENIED as moot; and

5) this matter is CLOSED.

SO ORDERED, this the 7th day of July, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE